

## C L A I M S

The following is a detailed listing of all claims that are, or were, in the application. A status identifier is provided for every claim and the current text of every claim is presented, unless the claim has been cancelled. Current amendments to the claims are expressed in the detailed listing by strikethrough or double-brackets (for deleted matter) or underlining (for added matter).

1. (Currently Amended) A method for a controller to facilitate a transaction, comprising:
  - receiving seller offer information associated with an item being offered for sale by a seller;
  - receiving buyer offer information associated with a buyer offering to make a purchase;
  - determining an evaluation rule,
    - wherein the evaluation rule is a rule other than a search term input by the buyer;
  - matching, by a controller facilitating a transaction, the seller offer information and the buyer offer information based on the evaluation rule; and
  - arranging for the seller to sell the item to the buyer.
2. (Original) The method of claim 1, wherein said matching comprises:
  - determining a buyer offer code based on the buyer offer information;
  - determining a seller offer code based on the seller offer information; and
  - matching the buyer offer code with the seller offer code based on the evaluation rule.

3. (Original) The method of claim 2, wherein the buyer offer code is associated with a set of possible items, and said matching comprises determining that the seller offer code is associated with a subset of the set of possible items.
4. (Original) The method of claim 1, wherein said matching comprises:  
determining an item quality class associated with the item based on the seller offer information, and  
matching the buyer offer information with the item quality class.
5. (Original) The method of claim 4, wherein said determining the item quality class is based on at least one of: (i) an item category, (ii) at least one item feature, (iii) an item price, (iv) an age associated with the item, (v) an item manufacturer, (vi) an item description, (vii) an item image, (viii) an item condition, and (ix) an accessory associated with the item.
6. (Original) The method of claim 4, further comprising:  
outputting, based on the item quality class, a suggested item price to at least one of: (i) the buyer, and (ii) the seller.
7. (Original) The method of claim 4, further comprising:  
outputting, based on the item quality class, a suggested item price range to at least one of: (i) the buyer, and (ii) the seller.
8. (Original) The method of claim 1, wherein the seller offer information includes a seller price, the buyer offer information includes a buyer price, and said matching comprises matching the seller offer information and the buyer offer information based on the seller price and the buyer price.

9. (Original) The method of claim 8, wherein the seller price is less than or equal to the buyer price.
10. (Original) The method of claim 8, wherein the seller price is greater than the buyer price.
11. (Original) The method of claim 1, wherein the seller offer information includes a seller price, the buyer offer information includes a buyer price, and said matching comprises matching the seller offer information and the buyer offer information based on information not including the seller price and the buyer price.
12. (Original) The method of claim 1, wherein said receiving seller offer information comprises receiving the seller offer information from the seller via at least one of: (i) a Web site, (ii) the Internet, (iii) a seller computer, (iv) a personal digital assistant, (v) a kiosk, (vi) an electronic mail message, (vii) a telephone, (viii) an interactive voice response unit, and (ix) an operator.
13. (Original) The method of claim 1, wherein the seller offer information comprises at least one of: (i) an item category, (ii) an item quality class, (iii) at least one item feature, (iv) a seller price, (v) an age associated with the item, (vi) an item manufacturer, (vii) an item description, (viii) an item image, (ix) an item condition, (x) an accessory associated with the item, (xi) a seller offer period, (xii) seller delivery information, (xiii) seller payment information, (xiv) a seller evaluation rule, and (xv) a seller preference.

14. (Original) The method of claim 1, wherein said receiving buyer offer information comprises receiving the buyer offer information from the buyer via at least one of: (i) a Web site, (ii) the Internet, (iii) a buyer computer, (iv) a personal digital assistant, (v) a kiosk, (vi) an electronic mail message, (vii) a telephone, (viii) an interactive voice response unit, and (ix) an operator.

15. (Original) The method of claim 1, wherein the buyer offer information comprises at least one of: (i) an item category, (ii) an item quality class, (iii) at least one item feature, (iv) a buyer price, (v) an age associated with the item, (vi) an item manufacturer, (vii) an item description, (viii) an item image, (ix) an item condition, (x) a buyer offer period, (xi) buyer delivery information, (xii) buyer payment information, (xiii) a buyer evaluation rule, and (xiv) a buyer preference.

16. (Original) The method of claim 1, wherein the seller offer information comprises a seller address, the buyer offer information comprises a buyer address and said matching is performed based on the seller address and the buyer address.

17. (Original) The method of claim 16, wherein the evaluation rule comprises the seller address being within a predetermined distance of the buyer address.

18. (Original) The method of claim 16, wherein the evaluation rule comprises the seller address and the buyer address being within a predetermined distance of a third party address.

19. (Original) The method of claim 1, wherein the seller offer information comprises at least one transaction requirement and said matching is only performed if the buyer offer information complies with the at least one transaction requirement.
20. (Original) The method of claim 1, wherein the seller offer information comprises at least one transaction preference and said matching is based on the transaction preference.
21. (Original) The method of claim 1, wherein the buyer offer information comprises at least one transaction requirement and said matching is only performed if the seller offer information complies with the at least one transaction requirement.
22. (Original) The method of claim 1, wherein the buyer offer information comprises at least one transaction preference and said matching is based on the transaction preference.
23. (Original) The method of claim 1, wherein said determining the evaluation rule is performed automatically based on revenue management information associated with the controller.
24. (Original) The method of claim 23, wherein the revenue management information comprises at least one of: (i) an amount of profit associated with the controller, and (ii) a number of transactions associated with the controller.

25. (Original) The method of claim 1, wherein said determining the evaluation rule is performed manually by a controller operator.
26. (Original) The method of claim 1, wherein said determining the evaluation rule comprises retrieving a predetermined evaluation rule.
27. (Original) The method of claim 1, wherein said determining the evaluation rule comprises selecting an evaluation rule from a plurality of possible evaluation rules.
28. (Original) The method of claim 1, further comprising:  
measuring a current performance of the controller,  
wherein said determining the evaluation rule is based on the current performance of the controller.
29. (Original) The method of claim 1, wherein said determining the evaluation rule is based on a matching objective.
30. (Original) The method of claim 29, wherein the matching objective comprises at least one of: (i) increasing a profit associated with the transaction, and (ii) increasing a total number of transactions.
31. (Original) The method of claim 1, wherein the evaluation rule comprises at least one of: (i) not matching the buyer with at least one predetermined seller, and (ii) not matching the seller with at least one predetermined buyer.

32. (Original) The method of claim 1, wherein the evaluation rule is based on at least one of: (i) when the buyer offer information is received, and (ii) when the seller offer information is received.
33. (Original) The method of claim 1, wherein the evaluation rule is based on information associated with the controller.
34. (Original) The method of claim 33, wherein the information associated with the controller comprises at least one of: (i) an amount of profit associated with the transaction for the controller, (ii) a current overall level of profit associated with the controller, (iii) information associated with another controller, (iv) a total number of buyer offers pending in the controller for similar items, and (v) a total number of seller offers pending in the controller for similar items.
35. (Original) The method of claim 1, wherein the evaluation rule is based on information associated with the seller.
36. (Original) The method of claim 35, wherein the information associated with the seller comprises at least one of: (i) a seller location, (ii) a seller transaction history, (iii) a seller reputation, (iv) a seller payment identifier, (v) demographic information associated with the seller, (vi) psychographic information associated with the seller, (vii) a credit rating associated with the seller, (viii) other offers to sell associated with the seller, (ix) other offers to buy associated with the seller, and (x) an amount of profit associated with the transaction for the seller.
37. (Original) The method of claim 1, wherein the evaluation rule is based on information associated with the buyer.

38. (Original) The method of claim 37, wherein the information associated with the buyer comprises at least one of: (i) a buyer location, (ii) a buyer transaction history, (iii) a buyer reputation, (iv) a buyer payment identifier, (v) demographic information associated with the buyer, (vi) a credit rating associated with the buyer, (vii) psychographic information associated with the buyer, (viii) other offers to sell associated with the buyer, (ix) other offers to buy associated with the buyer, and (x) an amount of profit associated with the transaction for the buyer.

39. (Original) The method of claim 1, wherein the evaluation rule is based on information associated with the item.

40. (Original) The method of claim 39, wherein the information associated with the item comprises at least one of: (i) a past popularity of the item, (ii) a current popularity of the item, and (iii) a predicted future popularity of the item.

41. (Original) The method of claim 1, wherein said matching comprises:  
matching the seller offer information with a plurality of buyer offers;  
and  
selecting one of the plurality of buyer offers.

42. (Original) The method of claim 41, wherein said selecting is based on priority rankings associated with the buyer offers.



43. (Original) The method of claim 42, wherein the priority rankings are based on at least one of: (i) priority payments, (ii) other seller offers for similar items, (iii) other buyer offers for similar items, (iv) transaction histories, (v) the seller offer information, and (vi) the buyer offer information.
44. (Original) The method of claim 1, wherein said matching comprises:  
matching the buyer offer information with a plurality of seller offers;  
and  
selecting one of the plurality of seller offers.
45. (Original) The method of claim 44, wherein said selecting is based on priority rankings associated with the seller offers.
46. (Original) The method of claim 45, wherein the priority rankings are based on at least one of: (i) priority payments, (ii) other seller offers for similar items, (iii) other buyer offers for similar items, and (iv) transaction histories.
47. (Original) The method of claim 1, wherein said matching is performed based on when the seller offer information is received.
48. (Original) The method of claim 1, wherein said matching is performed based on when the buyer offer information is received.
49. (Original) The method of claim 1, wherein said matching is performed periodically.

50. (Original) The method of claim 1, wherein the seller is obligated to sell the item subsequent to said matching.

51. (Original) The method of claim 50, further comprising:  
arranging for the seller to provide payment of a penalty amount if the seller does not sell the item.

52. (Original) The method of claim 1, wherein the buyer is obligated to buy the item subsequent to said matching.

53. (Original) The method of claim 51, further comprising:  
arranging for the buyer to provide payment of a penalty amount if the buyer does not buy the item.

54. (Original) The method of claim 1, wherein the seller and the buyer are obligated to complete a transaction subsequent to said matching.

55. (Original) The method of claim 1, further comprising  
determining an appropriate item price based on the seller offer information;  
transmitting information associated with the appropriate item price to the seller; and  
determining a seller price.

56. (Original) The method of claim 1, further comprising  
determining an appropriate item price based on the buyer offer information;  
transmitting information associated with the appropriate item price to the  
buyer; and  
determining a buyer price.
57. (Original) The method of claim 1, further comprising  
determining a subsidy, the subsidy being associated with a benefit from a  
subsidy provider to be applied to the transaction,  
wherein said arranging comprises arranging for the seller to provide the item  
to the buyer in accordance with the subsidy.
58. (Original) The method of claim 57, wherein the benefit comprises a  
subsidy amount, and said matching is performed by adding the subsidy amount to a  
buyer price.
59. (Original) The method of claim 57, wherein the benefit comprises a  
subsidy amount, and said matching is performed by subtracting the subsidy amount  
from a seller price.60 – 89 (Cancelled)

90. (Currently Amended) An apparatus, comprising:

- a processor; and
- a storage device coupled to said processor and storing instructions adapted to be executed by said processor to:
  - receive seller offer information associated with an item being offered for sale by a seller;
  - receive buyer offer information associated with a buyer offering to make a purchase;
  - determine an evaluation rule;
  - match the seller offer information and the buyer offer information based on the evaluation rule,
  - wherein the evaluation rule is a rule other than a search term input by the buyer; and
  - arrange for the seller to sell the item to the buyer.

91. (Original) The apparatus of claim 90, further comprising:  
a communication port coupled to said processor and adapted to communicate with at least one of: (i) a seller device, (ii) a buyer device, and (iii) a subsidy provider device.

92. (Original) The apparatus of claim 90, wherein said storage device further stores at least one of: (i) a buyer database, (ii) a seller database, (iii) an offer to buy database, (iv) an offer to sell database, (v) an item category database, (vi) a quality class database, (vii) a matching objectives database, (viii) a rule database, (ix) a subsidy rules database, (x) a subsidy database, and (xi) a transaction database.

93. (Currently Amended) A medium storing instructions adapted to be executed by a processor to perform a method for facilitating a transaction, said method comprising:

receiving seller offer information associated with an item being offered for sale by a seller;

receiving buyer offer information associated with a buyer offering to make a purchase;

determining an evaluation rule,

wherein the evaluation rule is a rule other than a search term input by the buyer;

matching the seller offer information and the buyer offer information based on the evaluation rule; and

arranging for the seller to sell the item to the buyer.

94. (Original) A method of facilitating a transaction via a communication network, comprising:

receiving binding seller offer information associated with a secondary market item being offered for sale by a seller, the binding seller offer information including an item description and a minimum price;

determining a seller offer code based on the seller offer information;  
receiving binding buyer offer information associated with a buyer offering to make a purchase, the binding buyer offer information including an item category and a maximum price;

determining a buyer offer code based on the buyer offer information;  
matching, by a controller facilitating a transaction, the seller offer code and the buyer offer code;

determining if the maximum price is at least equal to the minimum price;  
and

if the maximum price is at least equal to the minimum price, arranging for the seller to sell the secondary market item to the buyer.